REMARKS

The application has been amended and is believed to be in condition for allowance.

The present application is being filed as part of an RCE.

There are no formal matters pending.

Claims 20-28, 30, and 31 stand rejected as obvious over MOFFITT et al. (WO 98/31524) in view of SPENGLER et al. 4,923,539.

Claim 32 is rejected as obvious over MOFFITT et al. and SPENGLER et al., in further view of SAVONUZZI (EP 0482270).

The dependent claims are believed allowable at least for depending from an allowable independent claim.

Each of the presently pending independent claims are also believed to be allowable over the prior art as the prior art does not render obvious the recitations of the invention as presented in the pending claims.

MOFFITT et al. discloses a method of forming composite trim parts for vehicles.

The method comprises two main steps.

In a first step, a flexible insert (26) is applied to a flexible skin (32) (page 4, lines 17-19) in order to form a preform (35). This first step takes place in a first mold (22). While in the first mold (22), the skin (32) and the insert (26)

take the shape of the mold (22) (see page 4, lines 14-16; "The two materials are forced in the well of the mold".

The assembly (preform 35) comprising the skin (32) and the insert (26) is then transferred into a second mold (foam mold tool 36) for injection of a foam in a second main step.

According to MOFFITT, page 4, line 22, "The preform 35 shapes itself to the mold shape such as shown in 40." Furthermore, page 5, lines 5/6 indicate that "... the mold 36 may be provided with vacuum openings 46 to assist in holding the skin 40 against the surface of the mold 36".

An objective interpretation of these two passages reveals that the preform (35) is sufficiently flexible to take the shape of the mold (36) by simply putting it into the mold (36). Hence, it is not possible that the preform (35) is shaped during the closure of the mold (36), as claimed by claim 20, because the preform already has its predetermined shape when the closing of the mold (36) starts.

Furthermore, an objective interpretation reveals that the optional vacuum openings (46) are only used to maintain the shape of the preform (35), i.e., hold it in the already taken shape, but in no case assist in shaping, i.e., imparting a shape, to the preform (35). The question as to when the vacuum is used to maintain the shape of the preform (see Office Action, page 3, lines 6/7) is of no importance as the preform (35) already has

the shape of the mold (36). In summary, the preform (35) takes the shape of the form (36) all by itself, neither applying vacuum, nor the closing of the mold, nor the injection of the foam alters anymore the shape of the preform.

MOFFITT does therefore not disclose the above features of claim 20 according to which the assembly [...] is shaped during closure to take up the shape of the mold, at least in part.

This discloses neither the above features a), d) and h).

SPENGLER discloses a method for producing a trim panel comprising a vinyl film layer (12) with inserts (10, 11).

The method, as disclosed with reference to Figures 4 and 6, comprises the following steps.

First of all, inserts (10, 11) are placed separately into the dies (8a,b) of the lower form (15). At this stage, the inserts 10, 11 already have their final shape. Then the vinyl film (12) is placed over the mold by a clamping frame (6). When the mold is closed, the vinyl film (12) is formed/molded and the inserts (10, 11) are thereby laminated onto it (see column 7, lines 11/12).

Then the perimeter contour of the film (12) is cut (col. 7, lines 15/16).

For forming the foam part, SPENGLER discloses two alternatives. According to the first alternative, the preform of

film (12) and inserts (10, 11) rests in the lower half mold (15) and the upper half mold (1) is exchanged for an upper foaming mold (28) (see column 7, lines 22-26). According to the second alterative, the preform (10, 11, 12) is shuttled to a separate foaming station while being vacuumed to the lower half mold (15) (column 7, lines 63-67).

The analysis of SPENGLER reveals that only the film (12) is placed on the clamping frame (6) before closure of the mold, but not the assembly comprising the film (12) and the inserts (10, 11) as in claim 20. Above feature d) is therefore not disclosed by SPENGLER.

An accurate positioning of the film (12) of SPENGLER with respect to the mold (15) is simply not necessary as the inserts (10, 11) are independent of the film (12) before closure. Also, once the preform of film (12) and inserts (10,11) is formed, the contour of the film (12) is immediately cut according to SPENGLER (col. 7, lines 15/16). This preform therefore has not anymore the clamping margin and further handling of the preform is made by other means. For these reasons the person skilled in the art does not and cannot get the information from SPENGLER that a clamping frame improves the accuracy of positioning the preform comprising the film and the inserts. The feature d) is therefore not obvious in view of SPENGLER and MOFFITT, taken individually or in combination.

Furthermore, the inserts (10, 11) are placed in the mold (15) independently of the film (12). The inserts (10, 11) already have the shape of the mold before its closure. Feature e) of current claim 20 is therefore not disclosed by SPENGLER. As neither SPENGLER nor MOFFIT discloses feature e), a combination of these documents does not lead to the combination of features of claim 20. Thus, even if combined, the claimed features do not result.

Furthermore, due to the exchange of the upper half mold (1) with a foaming form (28), the foam injection according to SPENGLER is not made in the same closed mold that is used to form the main and the secondary blanks as it is claimed in feature f) of the present patent application.

Consequently, a combination of MOFFIT and SPENGLER is improper and amended claim 20, as well as new claim 39, are non-obvious.

Accordingly, the independent claims are believed to be both novel and nonobvious over the prior art. Reconsideration and allowance of both of the independent claims as well as the claims depending therefrom, are respectfully requested.

Applicant believes that the present application is in condition for allowance and an early indication of the same is respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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